

## Subpart D—Ruminants

SOURCE: 55 FR 31495, Aug. 2, 1990, unless otherwise noted. Redesignated at 62 FR 56012, Oct. 28, 1997.

## § 93.400 Definitions.

Wherever in this subpart the following terms are used, unless the context otherwise requires, they shall be construed, respectively, to mean:

*Accredited herd.* An accredited herd is one that has passed at least two consecutive annual official tuberculin tests and has no evidence of bovine tuberculosis. All animals in a herd must be free from tuberculosis.

*Accredited veterinarian.* A veterinarian approved by the Administrator in accordance with the provisions of part 161 of this title to perform functions specified in parts 1, 2, 3, and 11 of subchapter A, and subchapters B, C, and D of this chapter, and to perform functions required by cooperative state-federal disease control and eradication programs.

*Administrator.* The Administrator of the Animal and Plant Health Inspection Service or any other employee of the Animal and Plant Health Inspection Service, United States Department of Agriculture, to whom authority has been or may be delegated to act in the Administrator's stead.

*Animal and Plant Health Inspection Service.* Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS or Service).

*Animals.* Cattle, sheep, goats, other ruminants, swine, horses, asses, mules, zebras, dogs, and poultry.

*APHIS representative.* A veterinarian or other individual employed by the Animal and Plant Health Inspection Service, United States Department of Agriculture, who is authorized to perform the services required by this part.

*Brucellosis certified free herd.* A herd in which all eligible cattle in the herd were negative to brucellosis tests under the Canadian requirements and which is officially certified by the Canadian Government as a brucellosis free listed herd.

*Brucellosis certified-free province or territory of Canada.* A province or territory of Canada in which all herds of

cattle are brucellosis certified free. The brucellosis certified free provinces and territories of Canada are Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland (including Labrador), Northwest Territories, Nova Scotia, Ontario, Quebec, Prince Edward Island, Saskatchewan, and Yukon Territory.

*Cattle.* Animals of the bovine species.

*Communicable disease.* Any contagious, infectious, or communicable disease of domestic livestock, poultry or other animals.

*Department.* The United States Department of Agriculture (USDA).

*Fever tick.* *Boophilus annulatus*, including, but not limited to, the varieties *Americana* and *Australia*.

*Flock.* A herd.

*Herd.* Any group of one or more animals maintained for at least 4 months on common ground or two or more groups of animals under common ownership or supervision on two or more premises that are geographically separated, but among which there is an interchange or movement of animals. For a group of one or more animals to qualify as a herd for the purposes of § 93.406, animals may be moved into the herd during or after the 4-month qualifying period only if they:

(1) Originated from a tuberculosis-free herd; or

(2) Originated from an accredited herd or a herd that tested negative to a whole herd test, and the individual cattle to be added to the herd also tested negative to any additional individual tests for tuberculosis required by the Administrator.

*Immediate slaughter.* Consignment directly from the port of entry to a recognized slaughtering establishment<sup>1</sup> and slaughter thereat within two weeks from the date of entry.

*Inspector.* An employee of the Animal and Plant Health Inspection Service authorized to perform duties required under this subpart.

*Moved directly.* Moved without unloading and without stopping except

<sup>1</sup>The name of recognized slaughtering establishments approved under this part may be obtained from the Area Veterinarian in Charge, Veterinary Services, for the State of destination of the shipment.

for refueling, or for traffic conditions such as traffic lights or stop signs.

*Moved directly by land.* Moved by rail, truck, or other land vehicle without unloading and without stopping except for refueling, or for traffic conditions such as traffic lights or stop signs.

*Official tuberculin test.* A test for bovine tuberculosis that is approved by the Administrator as equivalent to the international standard test described in the Manual of Standards for Diagnostic Tests and Vaccines, Office International des Epizooties, and that is applied and reported by a salaried official of the government of the exporting region.

*Permitted dip.* A dip permitted by the Administrator to be used in the official dipping of cattle for fever ticks and for dipping cattle and sheep for scabies.

*Persons.* Any individual, corporation, company, association, firm, partnership, society or joint stock company.

*Port Veterinarian.* A veterinarian employed by the Animal and Plant Health Inspection Service to perform duties required under this part at a port of entry.

*Recognized slaughtering establishment.*<sup>2</sup> An establishment where slaughtering operations are regularly carried on under federal or state inspection and which has been approved by the Animal and Plant Health Inspection Service to receive animals for slaughter under this part.

*Region.* Any defined geographic land area identifiable by geological, political, or surveyed boundaries. A region may consist of any of the following:

- (1) A national entity (country);
- (2) Part of a national entity (zone, county, department, municipality, parish, Province, State, etc.);
- (3) Parts of several national entities combined into an area; or
- (4) A group of national entities (countries) combined into a single area.

*Ruminants.* All animals which chew the cud, such as cattle, buffaloes, sheep, goats, deer, antelopes, camels, llamas and giraffes.

<sup>2</sup>The names of recognized slaughtering establishments approved under this Part may be obtained from the Area Veterinarian in Charge, Veterinary Services, for the State of destination of the shipment.

*Swine.* The domestic hog and all varieties of wild hogs.

*Tuberculosis-free herd.* A herd which is not known to be infected with bovine tuberculosis (*M. bovis*) and which is certified by the Canadian Government as a tuberculosis-free herd.

*United States.* All of the States of the United States, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, and all other Territories and Possessions of the United States.

*Veterinary Services.* The Veterinary Services unit of the Department.

*Wether.* A castrated male sheep or goat.

*Whole herd test.* An official tuberculin test of all cattle in a herd that are 6 months of age or older, and of all cattle in the herd that are less than 6 months of age and were not born into the herd, except those cattle that are less than 6 months of age and:

- (1) Were born in and originated from a tuberculosis-free herd; or
- (2) Were born in and originated from an accredited herd or originated from a herd that has tested negative to a whole herd test, and the individual cattle have tested negative to any additional individual tests for tuberculosis required by the Administrator.

*Zoological park.* A professionally operated zoo, park, garden or other place, maintained under the constant surveillance of a Doctor of Veterinary Medicine, for the exhibition of live animals, pigeons or birds, for the purpose of public recreation or education.

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#### § 93.401 General prohibitions; exceptions.

(a) No ruminant or product subject to the provisions of this part shall be brought into the United States except in accordance with the regulations in this part and part 94 of this subchapter;<sup>3</sup> nor shall any such ruminant or product be handled or moved after

<sup>3</sup>Importations of certain animals from various regions are absolutely prohibited under part 94 because of specified diseases.